

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                                  |   |                            |
|----------------------------------|---|----------------------------|
| BANK OF AMERICA, N.A.,           | ) |                            |
|                                  | ) |                            |
| Plaintiff,                       | ) |                            |
|                                  | ) | Case No. 4:10-cv-00563-RWS |
| v.                               | ) |                            |
|                                  | ) |                            |
| ANALYTICS, INC., <i>et al.</i> , | ) |                            |
|                                  | ) |                            |
| Defendants.                      | ) |                            |

**ORDER TERMINATING RECEIVERSHIP AND GRANTING OTHER RELIEF**

This matter comes before the Court upon the *Receiver's Amended Motion to Approve Receivership Wind Down and Other Ancillary Relief* (Dkt. No. 175) (the "Amended Motion").<sup>1</sup> This Court having previously entered its Order directing the Receiver to give notice to all parties filing proofs of claim in this case of (a) the filing of the Amended Motion and of (b) an opportunity to submit objections to the Amended Motion (the "Creditor Notice"). It further appears that the Creditor Notice was mailed on September 18, 2012 to all of those parties set forth on the pleading filed by the Receiver on September 18, 2012 (dkt. #176), and that no timely objections were submitted. Good cause exists for entry of this Order,

IT IS HEREBY ORDERED that the Motion is GRANTED.

IT IS FURTHER ORDERED that the Receiver shall distribute to Bank of America, N.A. (the "Bank") all cash remaining in the receivership less \$50,000 (the "Contingency Reserve") which shall be held by the Receiver to pay any additional expenses of the Receivership, with the

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<sup>1</sup> All capitalized terms not otherwise defined in this Order shall have the same meaning as set forth in the Amended Motion.

then remaining balance of the Contingency Reserve to be paid to Bank on or about 180 days after the date hereof.

IT IS FURTHER ORDERED that the Accounting described in the Amended Motion is approved.

IT IS FURTHER ORDERED that all professional fees described in the Amended Motion are approved and that the Receiver is authorized and directed to pay such professionals any amounts that have not heretofore been paid.

IT IS FURTHER ORDERED that the Morris-Anderson & Associates, Ltd. is authorized and directed to take any and all steps necessary in order to wind up the administration of the Receivership Companies, including but not limited to (a) completing the audit of the Pension Plan, (b) paying all remaining expenses of administration of the receivership estate, (c) terminating the Receiver's Bond, and (d) signing and filing all final income tax returns.

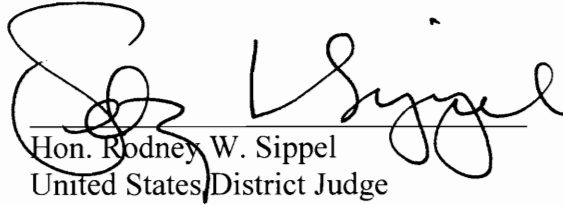
IT IS FURTHER ORDERED that neither the Receiver, nor any agents, employees, officers, directors, or professionals employed by the Receiver (collectively, the "Receiver Parties"), shall have or incur any liability to, or will be subject to any right of action, by any of the Defendants, any creditors of the Defendants, or any other persons, or their respective officers, directors, employees or professionals or by any creditor of any the Defendants, for or in connection with any of the Receiver Parties' actions or conduct in connection with the receivership or this case.

IT IS FURTHER ORDERED that all records presently in the possession of the Dodge Moving and Storage shall be maintained until July of 2015 and thereafter destroyed.

IT IS FURTHER ORDERED that Counts I, II, and III of the Complaint are dismissed without prejudice.

IT IS FURTHER ORDERED that the Clerk is directed to enter Judgment in favor of the Plaintiff and against the Defendants on Count IV of the Complaint.

Dated October 30, 2012

  
Hon. Rodney W. Sippel  
United States District Judge